

**Remarks**

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 7, 9-10, 14, and 16 are amended and claims 22-25 are added. These amendments to the claims constitute a bona fide attempt by applicants to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the specification (e.g., page 1, lines 22-24, page 3, lines 3-10, page 4, lines 21-23, page 5, lines 1-16, page 6, lines 23-25, and page 7, lines 15-30), drawings (e.g., FIGS. 1-2 and 4), and claims and thus, no new matter has been added. Claims 1-25 are pending.

**Claim Rejections - 35 U.S.C. §§102 and 103:**

Claims 1-6, 8, 10-13, and 16-21 are rejected under 35 U.S.C. §102(b) as being anticipated by Mills (U.S. Patent Application US Patent No. 5,890,063 A1). Claims 7, 9, and 14 are rejected under U.S.C. §103(a) as being unpatentable over Mills. Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Mills in view of Gallagher et al. (U.S. Patent No. 5,933,784 A2; “Gallagher”). These rejections are respectfully, but most strenuously, traversed.

It is well-settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) perform the identical function. Since each of the applied references is missing at least one element of each of applicants’ independent claims, applicants respectfully submit that the claimed invention is not anticipated by either of the applied references, as further discussed below.

Applicants respectfully submit that the applied references, with or without combination, assuming, *arguendo*, that the combination of the applied references is proper, do not teach or suggest one or more elements of the claimed invention, as further discussed below.

For explanatory purposes, applicants discuss herein one or more differences between the applied references and the claimed invention with reference to one or more parts of the applied references. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the applied references correspond to the claimed invention.

Applicants respectfully submit that the applied references do not teach or suggest one or more elements of the claimed invention. A careful reading of the applied references fails to teach or suggest, for example, migrating subscribers from a first network to a second network, wherein the second network employs a network technology different than a network technology employed by the first network.

Mills (column 4, lines 17-29) discloses migrating a subscriber from a first network to a second network.

With the continuing development in the mobile telecommunications technology and the increasing number of mobile subscribers, an innovative concept called "number portability" is becoming popular. The number portability concept allows a mobile subscriber to relocate or "port" from an existing service area to a new PLMN area without changing the mobile subscriber's assigned MSISDN number or directory number. By not changing the assigned MSISDN number, the mobile subscriber need not have his mobile station manually serviced to encode a new MSISDN number. The mobile subscriber also need not inconveniently notify his friends and associates of his new MSISDN number.

Mills discloses porting the mobile subscriber from the PLMN 10a to the PLMN 10b. Simply missing from Mills is any mention of migrating subscribers from a first network to a

second network, wherein the second network employs a network technology different than a network technology employed by the first network.

So, Mills fails to satisfy at least one of applicants' claim limitations.

The shortcomings of Mills relative to certain elements of the claimed invention have been discussed above. The Office Action proposes a combination of Mills with Gallagher. However, Gallagher does not overcome the deficiency of Mills. Applicants respectfully submit that the proposed combination of Mills with Gallagher fails to provide the required approach, assuming, *arguendo*, that the combination of Mills with Gallagher is proper.

Gallagher (Col. 3, lines 45-65) discloses transferring calls between one or more receivers of one or more networks:

The invention is a system and method for enabling two or more communication systems, each supporting a different and possible incompatible signaling protocol, to communicate with each other where the system and method are not located within any of the affected systems and for enabling a mobile station to utilize features supported by the visited system even if its home system does not support the feature. The system of the present invention is a signaling gateway that is coupled to a communications signaling network. Alternatively, the signaling gateway can be coupled directly to the incompatible systems. Communication signals that are transmitted from a first communication system to a second communication system and transmitted from the second network to the first network are received and transmitted by the signaling gateway. The protocols used by the first and second communication system are not fully compatible in that some (or all) of the signaling commands used by the first communication system do not translate directly into signaling commands understood by the second communication system.

Gallagher discloses the one or more networks that transfer calls between receivers of the networks. Simply missing from Gallagher is any mention of migrating subscribers from a first network to a second network, wherein the second network employs a network technology different than a network technology employed by the first network.

So, Gallagher fails to satisfy at least one of applicants' claim limitations.

Mills and Gallagher both fail to meet at least one of applicants' claimed features. For example, there is no teaching or suggestion in Mills or Gallagher of migrating subscribers from a first network to a second network, wherein the second network employs a network technology different than a network technology employed by the first network.

Furthermore, the Office Action does not allege that the art of record provides any teaching, suggestion, or incentive for modifying Mills and/or Gallagher to provide the claimed configuration. Applicants respectfully submit that these documents fail to provide the express teaching, suggestion, or incentive, and the claimed invention is thus patentable over the art of record.

The independent claims presented herewith are believed neither anticipated nor obvious over the art of the record. The corresponding dependent claims are believed allowable for the same reasons as the independent claims, as well as for their own additional characterizations.

Withdrawal of the §§102 and 103 rejections is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney Robert J. Brill, Reg. No. 36,760, and applicants' undersigned agent.

Respectfully submitted,



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